

On July 11, 1941, the United States attorney for the Southern District of New York filed a libel against 346 dozen cans of dry-pack mashed sweetpotatoes, 470 dozen cans of sirup-pack whole sweetpotatoes, 133 cases each containing 6 cans of carrots and peas, 290 cases each containing 24 cans of mixed lima beans, 299 cases each containing 24 cans of tiny lima beans, 249 cases each containing 48 cans of vegetable soup, and 249 cases each containing 48 cans of tomato soup at New York, N. Y., alleging that the articles had been shipped within the period from on or about February 17 to on or about March 28, 1941, by G. L. Webster Co., Inc., from Cheriton, Va.; and charging that they were adulterated in that they consisted in whole or in part of decomposed substances and were otherwise unfit for food.

On September 10, 1941, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

**2231. Adulteration of canned stringless green beans. U. S. v. 130 Cases of Stringless Green Beans. Default decree of condemnation and destruction.** (F. D. C. No. 5378. Sample No. 37938-E.)

Examination showed that this product was decomposed.

On August 15, 1941, the United States attorney for the Northern District of Georgia filed a libel against 130 cases of stringless green beans at East Point, Ga., alleging that the article had been shipped in interstate commerce on or about July 22, 1941, by Fox Bros. Co. from Chattanooga, Tenn.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Pine Grove Brand Cut Stringless Green Beans Packed by Pine Grove Canning Co. St. Martinville, La."

On September 16, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2232. Adulteration of canned pork and beans. U. S. v. 151 Cases of Canned Pork and Beans. Default decree of condemnation and destruction.** (F. D. C. No. 5029. Sample No. 44860-E.)

This product contained decomposed material, as evidenced by the presence of excessive mold.

On June 27, 1941, the United States attorney for the District of Idaho filed a libel against 151 cases of canned pork and beans at Twin Falls, Idaho, alleging that the article had been shipped in interstate commerce on or about February 5, 1941, by the Associated Canneries, Inc., from Ogden, Utah; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Olson's Regal Brand Pork and Beans in Tomato Sauce."

On July 24, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2233. Misbranding of canned beets. U. S. v. 110 Cases of Canned Beets. Consent decree of condemnation. Product ordered released under bond to be relabeled.** (F. D. C. No. 4453. Sample No. 46577-E.)

Examination showed that this product was not of Fancy quality, as labeled, because of the presence of tough or hard beets and because of ragged appearance.

On April 22, 1941, the United States attorney for the Eastern District of New York filed a libel against 110 cases, each containing 24 No. 2 cans, of beets at Brooklyn, N. Y., alleging that the article had been shipped on or about February 7, 1941, by Seymour Canning Co., Seymour, Wis.; and charging that it was misbranded in that the term "Fancy" was false and misleading as applied to an article that was not Fancy because of the presence of tough or hard beets and because of ragged appearance. The article was labeled in part: "Gerbro Fancy Whole Beets."

On June 18, 1941, Gerber Bros., Brooklyn, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

**2234. Adulteration of canned carrot chunks. U. S. v. 70 Cases, 22 Cases, and 94 Cases of Carrot Chunks. Default decrees of condemnation and destruction.** (F. D. C. Nos. 4013, 4558, 4559. Sample Nos. 22528-E, 22529-E, 55428-E.)

Examination of samples of this product disclosed the presence of dirty, worm-damaged carrot chunks.

On March 19 and May 2, 1941, the United States attorneys for the Western District of Washington and the Northern District of California filed libels

against 70 cases each containing 6 No. 10 cans of carrot chunks at Seattle, Wash., and 116 cases each containing 6 No. 10 cans of carrot chunks at San Francisco, Calif., alleging that the article had been shipped on or about October 7, 1940, and February 7 and 14, 1941, by Jory Packing Co. from Salem, Oreg.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Jory Carrot Chunks."

On June 23 and August 7, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**2235. Misbranding of canned corn. U. S. v. 673 Cases of Canned Corn. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 4358. Sample No. 46574-E.)**

On April 18, 1941, the United States attorney for the Southern District of New York filed a libel against 673 cases, each containing 24 No. 2 cans, of corn at New York, N. Y., alleging that the article had been shipped on or about April 1, 1941, by Fernald, Keene & True Co., West Poland, Maine, from Oxford, Maine; and charging that it was misbranded in that the term "Fancy" was false and misleading as applied to overmature corn. The article was labeled in part: (Cans) "Premier Fancy Cream Style White Corn."

On August 19, 1941, Francis H. Leggett & Co., New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be relabeled under the supervision of the Food and Drug Administration.

**2236. Misbranding of canned mushrooms. U. S. v. 139 Cases and 54 Cases of Canned Mushrooms. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 4729. Sample No. 31289-E.)**

The label of this product bore a picture of large mushroom slices, which was misleading since a large proportion of the product consisted of small mushroom pieces of irregular shape and of stems.

On or about May 14, 1941, the United States attorney for the Northern District of Illinois filed a libel against 193 cases, each containing 100 cans, of mushrooms at Chicago, Ill., alleging that the article had been shipped on or about March 19, 1941, by K. B. Products Corporation from Coxsackie, N. Y.; and charging that it was misbranded in that its label was false and misleading because the vignette thereon implied that the article was sliced mushrooms. The article was labeled in part: (Cans) "Drained Mushrooms 8 Ounces Avoir. Sincerity Brand Mushrooms Pieces and Stems."

On July 1, 1941, Banner Wholesale Grocers, Inc., Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

**2237. Misbranding of canned mushrooms. U. S. v. 41 Cases of Canned Mushrooms. Default decree of condemnation. Product ordered delivered to a local hospital. (F. D. C. No. 4317. Sample No. 5573-E.)**

Examination showed that this product was not of Fancy quality, as labeled, because of the presence of blemished and tough pieces of mushrooms and mushroom pieces.

On April 11, 1941, the United States attorney for the Southern District of Ohio filed a libel against 41 cases, each containing 12 cans, of mushrooms at Cincinnati, Ohio, alleging that the article had been shipped on or about December 18, 1940, by Superior Canning Co. from Avondale, Pa.; and charging that it was misbranded in that the term "Fancy" was false and misleading as applied to blemished and tough pieces of mushrooms and mushroom stems. The article was labeled in part: (Cans) "Wagner's Brand Fancy Mushrooms Pieces and Stems Drained Weight 4 Ounces."

On July 19, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a local hospital.

**2238. Adulteration of canned dry peas. U. S. v. 20 Cases of Canned Dry Peas. Default decree of condemnation and destruction. (F. D. C. No. 5006. Sample No. 55680-E.)**

Examination showed that this product contained weevils.

On June 25, 1941, the United States attorney for the District of Oregon filed a libel against 20 cases, each containing 48 cans, of peas at Portland, Oreg., alleging that the article had been shipped on or about May 22, 1941, by the Nelson Packing Co. from San Francisco, Calif.; and charging that it was adulterated in that it